

UNITED STATES DISTRICT COURT

FILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAHfor the
District of Utah

DEC 22 2016

BY D. MARK JONES, CLERK
DEPUTY CLERK

In the Matter of the Search of

*(Briefly describe the property to be searched
or identify the person by name and address)*USPS Priority Mail parcel No. 9505 5100 2091 6355
0353 70 addressed to Xander Valdez 1565 Siskiyou
Blvd. Spc #9 Ashland, OR 97520.

Case No.

2:16-mj-673-EJF

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

USPS Priority Mail parcel No. 9505 5100 2091 6355 0353 70 addressed to Xander Valdez 1565 Siskiyou Blvd. Spc #9 Ashland, OR return address of Megan Valdez 4262 S. 1100 E. SLC, UT 84124. See attached Affidavit.

located in the _____ District of _____ Utah _____, there is now concealed *(identify the person or describe the property to be seized)*:

Marijuana, Hashish, Cocaine, Heroin, Methamphetamine, or any derivatives/analogues of those drugs, or any controlled substances, drug paraphernalia, or monetary proceeds, or any documents or items showing names and addresses or persons from whom or to whom the package was sent and/or any items of contraband.

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

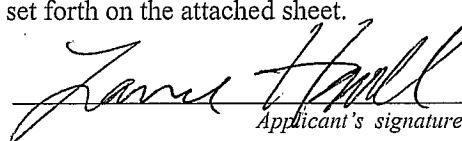
- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C.	1716 - Nonmailable Matter
21 U.S.C.	841 - Possession or Distribution of Controlled Substance
21 U.S.C.	843 - Unlawful Use of the Mail to Distribute Controlled Substance

The application is based on these facts:

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

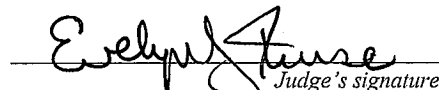


Applicant's signature

Lance Howell, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 12-22-2016


Judge's signature

City and state: Salt Lake City, Utah

EVELYN J. FURSE, U.S. Magistrate

Printed name and title

AFFIDAVIT

I, Lance Howell, being duly sworn, hereby depose and say:

1. I am a Postal Inspector assigned to the United States Postal Inspection Service (USPIS), Phoenix Division, domiciled in Salt Lake City, Utah. I have been employed by the United States Postal Inspection Service since September 2012. I began my Federal law enforcement career in 2004 as a Special Agent in the United States Secret Service, and I have been a sworn Federal law enforcement officer since that time. I have been trained and have experience in investigating multiple crimes related to the U.S. Postal Service, including violations of Title 18, United States Code, Section 1716, Injurious Articles as Nonmailable; Title 21, United States Code, Section 841, Possession or Distribution of a Controlled Substance; Title 21 United States Code, Section 843, Unlawful Use of a Communication Facility (Mail); and other related offenses. I am currently assigned to the External Crimes / Prohibited Mail Narcotics Team. The facts and information contained in this affidavit has been obtained by me personally or has been provided to me by other law enforcement officers and postal employees.
2. From my training and experience, I am aware that the U.S. Postal Service's Priority Mail service was designed to fit the needs of businesses and individuals by providing fast domestic delivery for time-sensitive materials. Priority Mail packages range in weight and sizes. Normal business mailings are less than two (2) pounds for parcels. Excess weight of packages (over two (2) pounds) is outside normal business mailing weight. I know that drug

traffickers prefer delivery services such as Priority Mail. Priority Mail service is preferred because of its speed, reliability, and the ability to track a mailed article's progress to the intended delivery point. Also, controlled substances are mailed in large quantities to reduce the shipping costs. For example, it is cheaper to mail one parcel containing more weight than ten parcels containing lower weight.

3. This affidavit is made in support of an application for a search warrant on a Priority Mail Parcel No. 9505 5100 2091 6355 0353 70, (hereinafter referred to as the "SUBJECT PARCEL"). The SUBJECT PARCEL is believed to contain controlled substances/proceeds and/or documents relating to or from the sale of controlled substances. The "SUBJECT PARCEL" is described as follows: A Priority Mail Parcel No. 9505 5100 2091 6355 0353 70, addressed to "Xander Valdez 1565 Siskiyou Blvd. Spc #9 Ashland, OR 97520", being sent from "Megan Valdez 4262 S. 1100 E. SLC, UT 84124" postmarked December 20, 2016, at Salt Lake City, UT, a plain brown box measuring approximately 19" X 14" X 8.5", weighing approximately 17 lbs. 12.6 oz. with metered and stamp postage affixed totaling \$20.60.

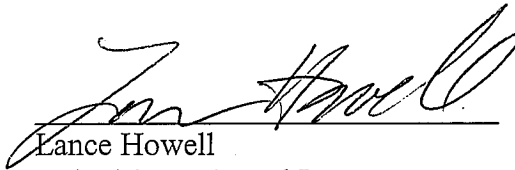
BACKGROUND INVESTIGATION

4. On December 20, 2016 at approximately 5:00PM Postal Inspectors were notified by United States Postal Service (USPS) management about the SUBJECT PARCEL, which had been accepted for mailing in Salt Lake City, UT. USPS management reported that the SUBJECT PARCEL smelled like

marijuana. Postal Inspectors detained the SUBJECT PARCEL for further investigation.


5. On December 21, 2016 I made arrangements for a K9, certified to detect narcotics, to sniff the SUBJECT PARCEL.
6. On December 21, 2016 Summit County Sheriff's Office Detective Vince Nguyen brought his K9, Gorka, to the offices of USPIS. The SUBJECT PARCEL was placed among other parcels and equipment. At approximately 9:20 AM, Detective Nguyen led Gorka to the area where the aforementioned parcels, equipment, and SUBJECT PARCEL were located and removed the leash from Gorka. Gorka searched the room without being led and was able to wander and search the area alone while Detective Nguyen stood outside the search area to observe Gorka. When Gorka sniffed the SUBJECT PARCEL she stopped. Detective Nguyen related to me that Gorka positively alerted and reacted consistently to the odor of narcotics emanating from the SUBJECT PARCEL.
7. K9 Gorka is a certified K9 narcotics detection assigned to the Homeland Security Task Force and Summit County Sheriff's Office. She is certified through Utah Peace Officer Standards and Training (POST), National Police Canine Association and California Narcotics Canine Association.
8. Based on the aforementioned facts, your Affiant believes there is probable cause to believe that the SUBJECT PARCEL described in Paragraph No. 3 contains controlled substances and/or proceeds from the trafficking of controlled substances, and/or any documents or items showing names and

addresses or persons from whom or to whom the package was sent and/or any items of contraband, constituting evidence of violations of Title 18, United States Code, Section 1716, Injurious Articles as Nonmailable; Title 21, United States Code, Section 841, Possession or Distribution of a Controlled Substance; Title 21 United States Code, Section 843, Unlawful Use of a Communication Facility (Mail); and other related offenses.


Lance Howell
United States Postal Inspector

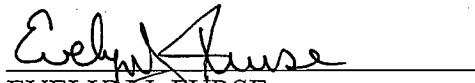
APPROVED:

JOHN W. HUBER
United States Attorney



VERNON G. STEJSKAL
Assistant United States Attorney

Subscribed and sworn to before me on this 22^d day of December, 2016.


EVELYN J. FURSE
United States Magistrate Judge